

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

J & J SPORTS PRODUCTIONS, INC.,

No. C 13-2048 SI

Plaintiff,

**ORDER DENYING AS MOOT
PLAINTIFF'S MOTION FOR THE
ENTRY OF DEFAULT**

v.

JAMES RICHARD SANCHEZ, individually and
d/b/a Casa Sanchez Restaurant; and FAMILIA
SANCHEZ ENTERPRISES, an unknown
business entity and d/b/a Casa Sanchez
Restaurant,

Defendants.

On January 23, 2014, plaintiff J & J Sports Productions, Inc. ("J & J") filed a motion for the entry of default against defendant Familia Sanchez Enterprises ("Familia Sanchez"), an unknown business entity and d/b/a Casa Sanchez Restaurant. Docket No. 39. For the following reasons, the Court DENIES plaintiff's motion as moot.

On May 2, 2013, J & J filed a complaint against defendants Familia Sanchez and James Sanchez, who never responded. Docket No. 1, Compl. The Clerk entered default against defendant Familia Sanchez on July 15, 2013 and entered default against defendant James Sanchez on August 15, 2013. Docket Nos. 12, 20. Subsequently, J & J filed a motion for default judgment against Familia Sanchez and a motion for default judgment against James Sanchez. Docket Nos. 13, 21.

1 On October 30, 2013, defendant James Sanchez filed a motion to set aside default. Docket No.
2 29. On December 3, 2013, the Court granted Mr. Sanchez's motion to set aside default and denied
3 without prejudice plaintiff's motions for default judgment against the defendants. Docket No. 34. In
4 the order, the Court only set aside the entry of default as to Mr. Sanchez. *Id.* at 4. The Court did not
5 set aside the entry of default as to Familia Sanchez. Therefore, defendant Familia Sanchez remains in
6 default. Accordingly, the Court DENIES as moot plaintiff's motion for the entry of default against
7 defendant Familia Sanchez. Docket No. 39.

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9 **IT IS SO ORDERED.**

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11 Dated: January 29, 2014

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14 SUSAN ILLSTON
15 UNITED STATES DISTRICT JUDGE
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